

**DEPARTMENT OF FOOD AND AGRICULTURE
PROPOSED CHANGES IN THE REGULATIONS
Title 3. California Code of Regulations
Article 4. Containers
Article 22. Citrus**

FINAL STATEMENT OF REASONS

**UPDATE OF INITIAL STATEMENT OF REASONS/PLAIN ENGLISH POLICY
STATEMENT OVERVIEW**

The Initial Statement of Reasons/Plain English Policy Statement Overview is still valid. A public hearing was held on August 27, 2003. There were no requests to speak.

SUPPORTING COMMENTS RECEIVED DURING 45-DAY COMMENT PERIOD

The Department received a letter dated August 22, 2003, from the petitioner David Haas, Director of Grower Services, California Citrus Mutual, a major industry organization comprised of approximately 800 citrus producers. California Citrus Mutual continues to support the proposed regulation changes for the following reasons:

- Removing the orange color (b) standard will increase maturity standards. Packers will have to wait longer before they can start harvesting fruit that might otherwise be on the borderline of passing the maturity test. This will leave early season fruit on the trees longer, therefore, increasing the sugar to acid ratio and providing the consumer with better quality fruit.
- This change will reduce the amount of spotting that can occur on the rind of early season fruit thus improving the fruit's appearance and increasing its marketability.
- This change will also reduce the subjectivity associated with the current maturity inspection process by limiting the maturity standards to one color option used by inspection staff.

The Department of Food and Agriculture concurs with the above comments and finds that the proposed regulation change is necessary to provide consumers with the best possible fruit and will have a positive impact on the agricultural industry.

OPPOSING COMMENTS RECEIVED DURING 45-DAY COMMENT PERIOD

The Department received no opposing comments.

ALTERNATIVES

The Department has determined that no alternative considered by the Department would be more effective in carrying out the purpose for which these regulations are

proposed or would be as effective and less burdensome to affected private persons than the proposed regulations.

ESTIMATED COSTS OR SAVINGS TO PUBLIC AGENCIES OR AFFECTED PRIVATE INDIVIDUALS OR ENTITIES

The Department has determined that no savings or increased costs to any state agency, no costs under "Part 7 (commencing with Section 17500) of Division 4" of the Government Code to local agencies or school districts requiring reimbursement, no other nondiscretionary costs or savings imposed on local agencies, and no costs or savings in federal funding to the State will result from these proposed regulations. The Department has also determined that these proposed regulations do not impose a mandate on local agencies or school districts.

SMALL BUSINESS IMPACT STATEMENT

The Department has determined that the proposed changes in the regulations would result in no significant added costs to small businesses affected by these proposed changes. The Department does recognize that there could be a potential economic impact to some growers. However, additional costs, if any, are unknown at this time. This is based on the fact that any additional costs would come from the disposal of fruit failing to meet the color (a) maturity standards when harvested and again after reconditioning.

The Department believes this can be minimized through the use of good agricultural practices by determining fruit meets both the color (a) and soluble solids to acid ratio maturity tests prior to harvesting. Leaving fruit on trees longer will also minimize the spotting that can occur on the rind therefore enhancing its appearance. Providing the consumer with better quality fruit would have a positive effect on the ability of such businesses to market their products. The proposed changes meet the needs of both, the affected commodity group and the consumer, without requiring substantial changes on the part of industry.

ECONOMIC IMPACT ON AFFECTED BUSINESSES

The Department has determined that these proposed regulations would result in no costs to private businesses or individuals affected by these proposed regulations. This is based on the fact stated in the "SMALL BUSINESSES IMPACT STATEMENT."